

Integrity - Our Winning Edge

CORRUPTION PREVENTION

TIPS FOR AIRLINE INDUSTRY



Integrity - Our Winning Edge

The tourism industry is one of the important pillars of Hong Kong's economy. To maintain the city's competitive edge as an international tourist destination, every practitioner should put customers first and serve them with sincerity. In addition to delivering high-quality services to enhance their travel experience, upholding professional integrity is essential for earning tourists' trust and confidence. This commitment ensures the healthy and sustainable development of the tourism industry and strengthens Hong Kong's position as a world-class premier destination.

To enhance the integrity of practitioners in the airline industry, this pamphlet uses simple and easy-to-understand scenarios to illustrate common corruption and malpractice pitfalls in the industry, anti-corruption laws and practical tips for preventing corruption. It aims to raise awareness of corruption risks and encourage practitioners to uphold integrity in their work, collectively safeguarding the good reputation of Hong Kong's tourism industry.



Sales and marketing

A manager of a forwarding company often offers goods samples to an airline sales staff for his help in allocating cargo space. Given a sudden increase in forwarding orders to Europe, the manager requests for the sales staff's "usual support" in allocating sufficient space. He also implies that he will properly reciprocate him with a 5% rebate on the freight charges.

✦ Smart tips

If an airline staff accepts advantages, whether in the form of goods samples or rebate, to assist in allocating cargo space without the company's permission, both the offeror and recipient of a bribe are guilty of an offence under the Prevention of Bribery Ordinance (POBO). Airline staff must adhere to the law and their company's code of conduct when accepting advantages in relation to their duties to avoid influencing their objectivity in discharging official duties and undermining fair play in the airline business.



Administration

Christmas is a peak season for travel, but an airline customer service officer would like to skip night duties. She therefore offers free concert tickets as Christmas gift to her supervisor as an inducement for the latter to show favour in preparing the duty roster.

✦ Smart tips

According to the POBO, any gift with value, including concert tickets, is regarded as an advantage. Although the ticket is a gift given to the supervisor during Christmas, it is not a defence in court. If an employee accepts gifts in relation to his official duty without the employer's approval, he would be liable under the POBO. When encountering any offering or solicitation of bribe, staff should report it to the ICAC immediately.

Procurement

An airline purchasing staff accepts illegal commission from a supplier of cleaning services as a reward for placing orders with the latter on behalf of the airline company and conniving at the deliberate exaggeration of the amount of service fee in the invoice.



✦ Smart tips

Purchasing staff should not disregard the interests of the airline company for personal gain. If a staff member accepts advantages from supplier for assisting in obtaining the orders and inflating the amount of the service fee in the invoice, he is liable for an offence under the POBO and conspiracy to defraud. Staff should adhere strictly to company guidelines and procedures during purchasing and tendering processes.

Staff travel benefits

A company proprietor, who frequently travels to source overseas products, asks her friend, a ground attendant, to nominate her as a travel companion to procure air tickets at a concessionary rate. In return, she promises to reward him with 30% of the price difference of the tickets.



✦ Smart tips

Airline staff should stand firm in resisting temptations. If an airline staff abuses his staff privilege without the employer's approval, he may violate the company policy. If acceptance of advantages is involved, both the offeror and recipient of a bribe are guilty of an offence under the POBO.

INTEGRITY QUIZ

1. If someone in your company has committed an act of corruption, you will:
A. turn a blind eye
B. gossip with your “buddies” in the company and secretly look for another job
C. report to your supervisor and the ICAC
2. You attended a client’s spring gathering on behalf of your company and won a \$5,000 cash coupon in a lucky draw. You will:
A. treat your colleagues to dinner
B. report the cash coupon to your company for disposal
C. keep the cash coupon for yourself
3. When asked to lie to the supervisor to cover up for your colleague, who left the office earlier in order to moonlight, you will:
A. hesitate to give a definite answer
B. agree to help
C. turn him down right away
4. You are responsible for receiving goods in your daily work. Recently, the supplier often treated you to dinner, and offered samples of goods and concert tickets, you will:
A. accept them happily because treating others and offering gifts are common social practices in the business world
B. handle the entertainment and gifts in accordance with your company’s code of conduct
C. join the feast since entertainment is not counted as an advantage, but reject the other gifts

Scores: 1. A(1) B(2) C(3) 2. A(2) B(3) C(1)
3. A(2) B(1) C(3) 4. A(1) B(3) C(2)

Quiz Results (Add up your scores for the four questions and see the following analysis)

12 marks	Based on the score you attain, you are a prudent and cautious person who is able to adhere to the professional code of conduct, legal requirements and company rules when making decisions. Keep this up and continue to put professional ethics into your daily practice.
9-11 marks	According to your score, you incline to judge from your intuition and your decisions can easily be influenced by others. You are advised to make reference to the relevant Ordinances and company code of conduct before taking any action.
4-8 marks	Your score reflects that you are vulnerable to temptation and will easily fall prey to the persuasion of those behaving unlawfully. You are strongly advised to revisit the related Ordinances and your company’s code of conduct immediately because you tend to focus too much on personal benefits and pay too little attention to the requirements of Ordinances and company rules. Beware not to breach the law inadvertently and clarify with your company or the ICAC if in doubt.

Model Answer: 1-C, 2-B, 3-C, 4-B

WHAT IS BRIBERY?

Section 9 of the Prevention of Bribery Ordinance (POBO)

- Any agent (e.g. employee of a airline staff)
- Without the principal’s approval (e.g. airline company)
- Solicits or accepts any advantage
- An act in relation to his principal’s affairs or business
- Both the offeror and recipient shall be guilty of the offence



Advantage

Includes, irrespective of the value, any gift, loan, fee, reward, commission, office, contract, service, favour and discharge of loan or liability, but does not include entertainment.



Entertainment

Refers to the provision of food or drink, for consumption on the occasion when it is provided, and of any other entertainment connected with, or provided at the same time.

Section 9(3) of the Prevention of Bribery Ordinance (POBO)

Any agent who, with intent to deceive his principal, uses false, erroneous or defective receipt, account or other document shall be guilty of an offence.



Penalty

The maximum penalty is a fine of HK\$500,000 and 7 years’ imprisonment.

Tips for being a professional and smart staff -

**BE
SMART**

Be alert to corruption risks

Enquire if in doubt

Say no to temptations

Must declare conflict of interest

Avoid over-socialisation with business associates

Report any suspected corruption

Total compliance with the law and company code of conduct

Adopt zero tolerance! Report corruption!

In Person: ICAC Report Centre (24-hour service); or any Regional Offices

By Phone: 25 266 366 (24-hour hotline)

By Mail: G.P.O. Box 1000, Hong Kong



Regional Offices

誠信旅業
致勝之道



航空業



誠信旅業 致勝之道

旅遊業是香港經濟的重要支柱之一。要維持香港作為國際旅遊城市的競爭優勢，每位從業員都必須做到「以客為先、待客以誠」。除了以誠懇優質的服務提升遊客的旅遊體驗外，秉持誠信操守亦能贏得遊客的信任和信心，這對於推動旅遊業健康及持續發展至為重要，並有助鞏固香港作為世界級首選旅遊目的地的地位。

為了提升航空業從業員的誠信水平，本單張以簡單易明的處境模式，闡釋業內常見的貪污舞弊範疇、防貪法例及防貪貼士，以協助提高從業員對貪污風險的警覺性，在工作中堅守誠信，共同維護香港旅遊業的良好聲譽。



銷售及市場推廣

貨運公司經理經常向航空公司一名營業員提供貨辦，以酬謝他為公司預留航機貨位。最近，由於往歐洲的託運訂單突然增加，該名經理要求該營業員以「一貫做法」預留足夠貨位，並暗示會給他運費的5%作為回佣。

✦ 小貼士

若航空公司職員未得公司許可，收受利益（包括貨辦及回佣）以協助預留貨位，行賄受賄雙方均會觸犯《防止賄賂條例》。航空公司職員在接受與職務相關的利益時，必須遵守法例和公司守則規定，以免影響自己執行職務時的客觀性和破壞航空業的公平競爭。

採購程序

航空公司的一名採購部職員接受清潔服務供應商的非法回佣，以代航空公司向其發出服務訂單及容許其故意誇大發票上的服務費。

✦ 小貼士

採購人員不應罔顧航空公司的利益以謀取私利。若職員收受供應商提供的利益協助其獲取訂單及誇大發票上的服務費，便可能觸犯《防止賄賂條例》及串謀詐騙罪。因此，在採購及招標過程中，職員必須切實遵守航空公司制定的指引及程序。



行政管理

聖誕節是旅遊旺季，航空公司客戶服務主任為免被安排當夜班，不惜向上司提供演唱會門券作為聖誕禮物，意圖誘使對方在編排值勤表時有所偏袒。

✦ 小貼士

根據《防止賄賂條例》，任何有價值的餽贈，包括演唱會門券，均屬利益。雖然門券是適逢聖誕節送上司的饋贈，但亦不能作為免責辯解。若職員未有公司許可接受與職務有關的饋贈，可能會觸犯《防止賄賂條例》。當遇到有人行賄或索賄，應立刻向廉政公署舉報。

員工旅遊福利

一名公司東主需要經常到海外採購貨品，因此她要求任職地勤人員的朋友將她提名為其同行旅伴，以享受優惠價購買機票，並承諾提供票價差額的30%作為報酬。

✦ 小貼士

航空公司職員必須堅拒貪污誘惑。若職員未得公司許可濫用員工福利，可能會違反公司規定；若涉及收受利益，行賄和受賄雙方均會觸犯《防止賄賂條例》。



誠信考考你

1. 如發現公司有人貪污，你會：
A. 視而不見
B. 跟公司中的「老友」竊竊私語，密謀轉工
C. 報告上司及向廉署舉報
2. 你代表公司出席客戶安排的春茗，在抽獎環節中獲現金券五千元，你會：
A. 請同事吃飯
B. 向公司申報現金券以作適當處理
C. 把現金券留為己用
3. 同事因做兼職要早退，請你協助向上司撒謊隱瞞，你會：
A. 支吾以對
B. 拔刀相助
C. 堅決拒絕
4. 你在日常工作中負責驗收貨物。供應商近日經常請你出席飯局，又送你貨辦及演唱會門券，你會：
A. 欣然接受，因在商業社會中，送禮及款待乃正常交際
B. 按公司守則處理供應商所提供的款待及禮物
C. 只應邀出席飯局，因「款待」並非利益，但會婉拒其他禮物

得分: 1. A(1) B(2) C(3) 2. A(2) B(3) C(1)
3. A(2) B(1) C(3) 4. A(1) B(3) C(2)

分析（請加上四條問題得分，然後參考以下分析。）

12分 你的得分顯示，你處事小心謹慎，能按照專業操守、公司和法例的要求作出明智的決定。請繼續努力，堅守原則，將專業道德付諸實行。

9-11分 根據你的分數，你較傾向憑直覺行事，同時易受環境或他人影響你的決定。你在採取任何行動之前，應先參考有關法例和公司守則。

4-8分 你的得分反映你較易受誘惑，亦易被不法之徒利用。你必須重溫有關法例和公司守則的內容，因為你傾向單從個人利益出發，忽略法例和公司守則的規定。千萬不要誤墮法網！如有疑問，應立即向公司或廉署查詢。

圖文編譯：1-C, 2-B, 3-C, 4-B

法例 - 何謂貪污？

《防止賄賂條例》第9條

- 任何代理人（如航空公司職員）
- 未得主事人許可（如航空公司）
- 索取或接受任何利益
- 作出或不作出與主事人業務/事務有關的行為
- 行賄受賄同樣犯法



利益

包括任何價值的饋贈、貸款、費用、報酬、佣金、職位、合約、服務、優待及免除借貸或法律責任，但不包括款待。



款待

指供應在當場享用的食物或飲品，以及任何與此項供應有關或同時提供的其他款待。

《防止賄賂條例》第9(3)條

任何代理人使用虛假、錯誤或缺漏不全之收據、帳目或其他文件，蓄意欺騙其主事人，亦屬違法。



刑罰

最高罰款港幣50萬元及監禁7年。

防貪
錦囊



貪污陷阱要提防



遇到問題先諮詢



面對誘惑要say NO



利益衝突須申報



公事應酬要適中



守法循規為上策



待客以誠勿徇私



舉報貪污莫遲疑

挺身而出 舉報貪污

親身： 廉政公署舉報中心 (24小時)；或各分區辦事處
電話： 25 266 366 (24小時熱線)
投函： 香港郵政信箱1000號



分區辦事處地址